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7 UNITED STATES DISTRICT COURT FOR THE  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13  
14 RICHARD THOMAS ZIESKE,

15 Defendant.  
16  
17

No. CR17-137-JLR

~~PROPOSED~~ JLR

18 **ORDER OF FORFEITURE**

19 THIS MATTER comes before the Court on the United States' Motion for Entry of  
20 an Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant  
21 Richard Thomas Zieske's interest in the following property:

- 22 • A sum of money, in the amount of \$ 84,915, representing the  
23 proceeds the Defendant obtained as a result of his Wire Fraud scheme. The  
24 United States will request the Attorney General apply any amounts it collects  
25 toward satisfaction of this forfeited sum to the restitution that is ordered in this  
26 case.

27 The Court, having reviewed the papers and pleadings filed in this matter, hereby  
28 FINDS entry of an Order of Forfeiture is appropriate because:

- 1       •     The above-identified sum of money reflects proceeds of Wire Fraud, which
- 2             are forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C.
- 3             § 2461(c);
- 4       •     The United States gave notice of its intent to forfeit these proceeds in both
- 5             its Indictment (Dkt. No. 15, ¶¶ 21-22)) and its Trial Brief (Dkt. No. 74,
- 6             p. 21);
- 7       •     On February 1, 2018, following trial, the Defendant was convicted of five
- 8             counts of Wire Fraud (Dkt. No. 128); and,
- 9       •     Fed. R. Crim. P. 32.2(c)(1) provides "no ancillary proceeding is required to
- 10            the extent that the forfeiture consists of a money judgment."
- 11

12       NOW, THEREFORE, THE COURT ORDERS:

13       1)     Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), the

14     Defendant's interest in the above-identified sum of money is fully and finally forfeited, in

15     its entirety, to the United States;

16       2)     No right, title or interest in this sum of money exists in any party other than

17     the United States;

18       3)     Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Order will become

19     final as to the Defendant at the time he is sentenced; it will be made part of the sentence;

20     and, it will be included in the judgment;

21       4)     Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money

22     in whole or in part, the United States may move to amend this Order, at any time, to

23     substitute property having a value not to exceed the amount of this sum of money; and,

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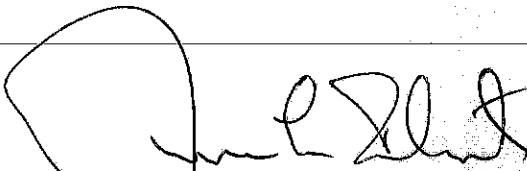
27     ///

1           5)     The Court will retain jurisdiction in this case for the purpose of enforcing  
2 this Order.

3           IT IS SO ORDERED.

4           DATED this 15<sup>th</sup> day of May, 2018.  
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THE HON. JAMES L. ROBART  
UNITED STATES DISTRICT JUDGE

Presented by:

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